



United States Patent and Trademark Office

MAILED

OCT 28 2004

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

5231

Venable, Baetjer, Howard and
Civiletti, LLP
P.O. Box 34385
Washington, DC 20043-9998

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Paper No: 4142

Appeal No:
Appellant:
Application No:
Hearing Room:
Hearing Docket:
Hearing Date:
Hearing Time:
Location:

2004-2028
Fagiolini, Nilo, et.al
09/423,746
B
A
Wednesday, January 12, 2005
9:00 AM
USPTO BUILDING (AS APPL)
500 Embassy Street
Alexandria, Virginia 22313-1450

NOTICE OF HEARING

CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47.

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.

This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

BPAT HEARINGS FAX No:

(571) 273-0299

USPTO Central Fax No.

(703) 872-9306

Clerk of the Board (571) 272-9797

BPAI Mailing Address:

BOARD OF PATENT APPEALS AND INTERFERENCES

UNITED PATENT AND TRADEMARK OFFICE

P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:

☒ HEARING ATTENDANCE CONFIRMED☐ HEARING ATTENDANCE WAIVED

M. Baetjer
Signature of Attorney/Agent/Appellant

11/16/04 26032
Date Registration No.

Names of other visitors expected to accompany
counsel:

BEST AVAILABLE COPY

VENABLE

ATTORNEYS AT LAW

575 7th Street, N.W.
Washington, DC 20004(202) 344-4000, Fax (202) 344-8300
WASHINGTON, DC · MARYLAND · VIRGINIATO:
BPAI HearingsFAX NUMBER:
571-273-0299
703-872-9306PHONE NUMBER:
571-272-9797SENDER:
Marina SchnellerSENDER'S FAX NUMBER:
202-344-8300SENDER'S PHONE NUMBER:
202-344-4000SENDER'S ASSISTANT:
Marcia D. ColemanASSISTANT'S PHONE NUMBER:
202-344-8207DATE:
November 17, 2004CLIENT/MATTER NUMBER:
U.S. Serial No. 09/423,746
Atty Dkt: 32232-152197PAGES, EXCLUDING COVER:
1**Re: Confirmation of Oral Hearing**

If you require assistance with this transmission, please contact the sender.

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail or by telephone at the address above. If you are unable to reach us, please notify us by the U.S. postal service. Thank you.